

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

CHAIYA CHAN,

Defendant

**SEALED**

) Criminal No. *20cr10077*  
)  
) Violations:  
)  
) Count One: Distribution of and Possession with  
) Intent to Distribute Fentanyl  
) (21 U.S.C. § 841(a)(1))  
)  
) Count Two: Distribution of and Possession  
) with Intent to Distribute 40 Grams or More of  
) Fentanyl  
) (21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi))  
)  
) Forfeiture Allegation:  
) (21 U.S.C. § 853)

INDICTMENT

COUNT ONE

Distribution of and Possession with Intent to Distribute  
Fentanyl  
(21 U.S.C. § 841(a)(1))

The Grand Jury charges:

On or about November 22, 2019, in Braintree, in the District of Massachusetts, the defendant,

CHAIYA CHAN,

did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

Distribution of and Possession with Intent to Distribute  
40 Grams or More of Fentanyl  
(21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi))

The Grand Jury further charges:

On or about December 17, 2019, in Braintree, in the District of Massachusetts, the defendant,

CHAIYA CHAN,

did knowingly and intentionally distribute and possess with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(vi).

**DRUG FORFEITURE ALLEGATION**  
(21 U.S.C. § 853)

1. Upon conviction of the offense in violation of Title 21, United States Code, Section 841, set forth in Counts One and Two of this Indictment, the defendant,

CHAIYA CHAN,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offense; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendant -

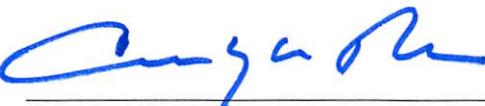
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- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL

  
\_\_\_\_\_  
FOREPERSON

CHRISTOPHER POHL  
ASSISTANT UNITED STATES ATTORNEY  
DISTRICT OF MASSACHUSETTS

District of Massachusetts: March 11, 2020  
Returned into the District Court by the Grand Jurors and filed.

